THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION No.14227 OF 2006

Dated 12.7.2006

Between:
The Village Water and Sanitation Committee
And another.

… petitioners

and

The Greater Visakaha Municipal Corporation and others.

…. Respondents.

THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION No.14227 OF 2006

ORDER:

The matter is coming up for admission today. Sri Ranga Reddy, learned Standing Counsel for R.1 takes notice.

Sri Ram Gopal, the learned counsel representing the petitioners would submit that the interference with the day to day activities without issuance of any notice is in violation of principles of natural justice. The learned counsel also had taken this Court through several factual details which had been narrated in the affidavit filed in support of the writ petition. The learned counsel also had pointed out to the MOU dated 10.5.2004

The writ petition is filed praying for the relief to declare the action of the first respondent – Corporation in interfering with the day to day maintenance operations of the Swajaladhara Project by the first petitioner Committee without due process of law and without issuance of notice, as illegal and arbitrary, by issuing a writ, order or direction more particularly in the nature of writ of mandamus and consequently direct the first respondent Corporation not to interfere with the day to day operations of the Swajaladhara project of the first petitioner committee and pass such other suitable orders.

It is stated that the first petitioner is represented by the Secretary and the Second petitioner is by its Vice President. It is also stated that the Government of India also formulated a scheme Swajaladhara

Rural Drinking Water Project under Rajeev Gandhi National Drinking Water Mission, Department of Drinking Water Supply, Ministry of Rural Development. Several factual details had been narrated in the affidavit filed in support of the writ petition. The relevant material also is placed before this Court. However, the learned standing counsel would submit that the writ petition can be disposed of on the short ground, since the question raised is the non-issuance of any notice in relation to the action in question.

In the light of the same, the writ petition is disposed of with a direction to the first respondent Corporation not to interfere with the day to day maintenance operation of Swajaladhara Project by the first petitioner committee, unless and until, the first respondent follows the due process of law by issuing notice, in accordance with law. It is needless to say that the first respondent is at liberty to pass appropriate orders after issuance of notice to the petitioners and also the affected parties.

The writ petition is accordingly, disposed of. No order as to costs.

12.7.2006.

Note:
Issue C.C. in two days.
B/o.
mdaa